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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,987	02/12/2002	Marco Satta	026290-021	3522

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EXAMINER

PEAVEY, ENOCH E

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,987

Applicant(s)

SATTA, MARCO

Examiner

Enoch E Peavey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Wada et al., US No. 5,595,697. Wada discloses a composite seal comprising a substantially rigid support (161). There is a flexible sealing element (164) carried integrally by the support (161). The flexible sealing element (164) may be made of a non-elastomer, synthetic plastic resin. The annular sealing lip (163) of the flexible sealing element (164) is substantially in the form a cylindrical sleeve defined by a first lateral surface (contacting 152) and a second lateral surface opposite the first (FIG. 14). There is an annular pressure element (158) made of an elastomer and carried integrally by the annular sealing lip (163) on the second lateral surface (FIG. 14). There is a radial toroidal pressure spring (158c) carried by the elastomer annular pressure element (158) and inserted in an annular seat formed in the elastomeric annular pressure (158) element on the opposite side to the annular sealing lip (163). The flexible annular sealing element (164) and flexible annular sealing lip (163) are formed integrally in one piece. The elastomeric pressure element (158) is connecting mechanically (i.e. by adhesive,

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which is synonymous with glue, Col. 5, lines 18-20) to the annular sealing lip of the flexible sealing element.

The annular pressure element (158) is adhered to the second lateral surface of the annular sealing lip (163) of the flexible sealing element. The support (161) is at least partially embedded in a static elastomeric sealing element (156) glued to the support. The elastomeric sealing pressure element (158) is formed in one piece with the static elastomeric sealing element (156) and gripped against a stop surface of the support (FIG. 14). The flexible sealing element (164) is connected mechanically to the support and gripped between two adjacent rigid portions (the opposed surfaces of the opening in 162a) of the support (161). The first lateral surface of the annular sealing lip (contacting 152) is provided with ribs (163a). The support (161) is substantially L-shaped and comprises a flange portion (157) substantially coaxial with the sleeve-shaped annular sealing lip (FIG. 14), the annular sealing lip (163) extending axially on the opposite side to the flange portion (157) of the support (161) to a length greater than the axial extension of the sleeve shaped portion of the support.

Please note that the pressure element being mechanically attached to the sealing lip by chemical bonding and being glued after the curing stage is given very little patentable weight because they are process limitations in a product claim.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Enoch E Peavey whose telephone number is 305 1977. The examiner can normally be reached on Mon-Fri 8:00 am to 4:30 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on (703) 308- 3179. The fax phone numbers for the organization where this application or proceeding is assigned are 305 3597 for regular communications and 305 3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 1113.

Enoch E Peavey  
Art Unit 3676

April 6, 2003



Anthony Knight  
Supervisory Patent Examiner  
Group 3600